

United States District Court
For the Northern District of California

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5 UNITED STATES OF AMERICA,

6 Plaintiff,

7 No. CR 14-00306 WHA

8 v.

9 LUKE D. BRUGNARA,

10 Defendant.

11 **REQUEST FOR FURTHER
BRIEFING**

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14 In response to the government's memorandum regarding potential outbursts at trial (Dkt.
15 No. 305), the Court requests that both sides further brief the issue of what instructions should be
16 given to the jury in relation to what consideration and evidentiary weight it should give
17 defendant's outbursts, gestures, and unsworn statements at trial. For example, if defendant were
18 to blurt out "that's a lie" during the government's presentation of its case, what evidentiary
19 weight should the jury give to that type of outburst.

20 The government did not address this sufficiently in its memorandum and the defense
21 failed to file any memorandum. The Court seeks the input of the defense on the original request,
22 regarding potential outbursts at trial, as well as on jury instructions regarding the evidentiary
23 weight that the jury should place on these outbursts. The parties shall respond in **FIVE PAGES OR**
24 **LESS BY FIVE P.M. ON JANUARY 23, 2015.**

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28 Dated: January 20, 2015.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE